

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Smt. Bandela Lakshmi, Sarpanch (Removed), Gram Panchayat Kasarlapahad, Arvapalle Mandal – Nalgonda District – Appeal Petition filed against the proceedings of the District Collector (PW), Nalgonda District – Allowed – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Rt.No.1680
2010.

Dated: 15-11-

Read the

following:-

- 1) From the Dist. Collector (PW), Nalgonda District Proc.No.352/09-B1, Dated 07.07.2009.
- 2) Appeal Petition received from Smt. Bandela Lakshmi, Sarpanch (Removed), Kasarlapadu Gram Panchayat, Arvapally Mandal, Nalgonda District, dt.23.7.2009 & 6.8.2009.
- 3) Govt. Memo.No.14756/Pts.II/A1/2009-1, Dated 11-08.2009.
- 4) From the Collr., (PW), Nalgonda Dist., Procs.No.352'/09-B1(Pts), dt. 17. 08.2009.
- 5) From the Dist.Collector(PW), Nalgonda Roc.No. 352/09-B1(Pts),dt 12-04-10.
- 6) From the Dist.Collector(PW), Nalgonda Roc.No. 352/09-B1(Pts),dt 3-0710.

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ORDER:

In the reference 1st read above, the District Collector (PW), Nalgonda District has removed Smt. Bandela Lakshmi, Sarpanch, Kasarlapadu Gram Panchayat, Aravapally Mandal of Nalgonda District and also issued for recovery of an amount of Rs.1,53,720/- for mis use and misappropriation of Gram Panchayat funds under section 249(1) of A.P.P.R.Act, 1994.

2. Aggrieved by the said orders Smt. Bandela Lakshmi, Sarpanch, Kasarlapadu Gram Panchayat, Aravapally Mandal of Nalgonda District has filed an Appeal Petition before Government vide in the reference 2nd read above.

3. In the reference 3rd read above, Government while granting stay against the proceedings of the District Collector (PW), Nalgonda has called his report in the matter.

4. In the reference 4th read above, the District Collector (PW), Nalgonda District has stated that out of (6) charges (4) charges were proved and an amount of Rs.1,53,720/- has to be recovered from Smt. Bandela Lakshmi, Sarpanch, (Removed) Kasarlapadu Gram Panchayat, Aravapally Mandal, Nalgonda District.

5. The petitioner has filed a W.P.No.15591 of 2009 before Hon'ble High Court. The Hon'ble High Court in its Order dated 3.8.2010 has directed to dispose the case within three weeks.

6. During the hearing held on 10-11-09 the Sarpanch has submitted a further representation alleging that the Panchayat Secretary is responsible in drawing the cheques and requested to summon the Panchayat Secretary to attend the Hearing. After examination of the matter the stay was vacated and directed to the District Collector (PW), Nalgonda District to place the Panchayat Secretary under suspension to vide telegram dated 21-11-09 by posting the case on 30-11-09.

7. In the mean time the Govt. Pleader in his letter dated 5-12-09 has stated that the Hon'ble High Court has granted interim stay on W.P. No.

26343/2009 filed by Bandela Laxmii for a period of three weeks by posting the case after 10 days. It is further submitted that the interim suspension have been extended from time to time. Finally while disposing the case the impugned order dated 21-11-09 is set aside.

8. The case was again heard on 18-01-10. During the hearing the Petitioner Advocate has argued that the enquiry was not properly conducted and requested to order for an independent enquiry afresh which will be proved the innocence of the Sarpanch. Further the Panchayat Secretary (u/s) has denied the allegation No. 1 regarding drawal of cheque issued in favour of Late Sri Lingaih. Hence, Govt. in memo dt 5-02-10 has requested the Dist Audit Officer to inspect the records and send a detailed report along with the audit reports for the period in question.

(p.t.o)

9. In the reference 5th read above, the District Collector (PW), Nalgonda has reported that as per the report of the Audit Officer, Nalgonda, the Sarpanch has drawn an amount of Rs. 70,000/- in favour of Sri K. Saidulu, R/o Velupucherla. Hence, the Project Director, DWMA, Nalgonda has been requested to conduct detail departmental enquiry on the misuse of funds by one Asst. Project Director and submit his report within (3) days. Further on verification of the report of the District Officer, State Audit, Nalgonda, it is found that the cheques for an amount of Rs. 70,000/- was issued by the Sarpanch and not issued in favour of late Sri K. Lingaiah.

10. The case was heard on 17-05-2010 and during the hearing the DPO has stated that the report of the Project Director, DWMA, Nalgonda is still awaited. Hence the case was posted on 18-06-10 directing to the project Director, DWMA to submit his report within ten days positively. Subsequently the case was posted on 25-06-10.

11. In the reference 6th cited, the District Collector (PW), Nalgonda has reported that after examination of the Enquiry report, it is noticed that the charge No. 5 & 10 are proved and involved on misuse of watershed funds.

12. The case was again heard on 16-07-10. During the hearing the Sarpanch, DPO., Assistant Project Director, DWMA, Suryapet Cluster and Panchayat Secretary (U/s) are attended. The Assistant Project Director has stated that an amount of Rs.15,000/- has to be recovered from the Sarpanch towards the sale of Ooracheruvu tank shore plants which were not credited by the Sarpanch. The Sarpanch has been directed to pay the amounts within 15 days and report the same to the DPO., and the Assistant Project Director. Now, the DPO in his letter dated 9.8.2010 has reported that the Sarpanch has remitted the amount of Rs.15,000/-.

13. The case was heard again on 11.10.2010. During the hearing the Sarpanch, her Advocate and the DPO., Nalgonda are attended. The DPO., Nalgonda has informed that as directed in the hearing held on 16.7.2010, the Sarpanch has remitted the amount of Rs.15,000/- vide challan No.703 dated 7.8.2010 towards the sale proceeds of Ooracheruvu Tank shore plants and he has sent a report to that effect through his letter dated 9.8.2010.

14. Government after hearings and after perusing the available records and also considering the fact that the Sarpanch has remitted the sale proceeds, the Appeal Petition filed by Smt. Bandela Lakshmi, Ex-Sarpanch is hereby allowed duly setting aside the orders of District Collector (PW), Nalgonda District dated 07.7.2009.

15. The District Collector (PW), Nalgonda District shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M.V.P.C. SASTRY,
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
The District Collector (PW), Nalgonda District.

Copy to:-

The Commissioner, Panchayat Raj and Rural Employment, A.P. Hyderabad.

The District Panchayat Officer, Nalgonda District.

Smt. Bandela Lakshmi, Sarpanch, (Removed) Kasarlapadu Gram Panchayat,
Aravapally Mandal, Nalgonda District.

The Addl.O.S.D. to M(PR)

Sf /Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER